App F IX 4

1946 47
(ml)

File No 78-46

Previous References

Serial Nos 5 6

Later Referenc s

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for Sept

SUBJECT

- Election of members to the Constituent Assembly from the States

L 4054 & 17 9.46

To

The President

Cites rule of procedure

States that the question may be disposed of according to provisions of law

Serial No

From the President, City Municipal Council Mysore
No. PS 46/46-47, dated 9-9-46

States that 14 members of the City Municipal Council have sent up a motion relating to the election of members to the Constituent Assembly (orders the State and requests orders whether the above subject may be allowed to be moved at the Special meeting of the Council to be held on 18-9-46

Revenue Secretary's orders

1) I do not think it is permissible under the Act and Rules Reference today
Dated 9-9-46

2) The City Municipalities Act and the Rules are sent up

3) Under Section 29-(2) of the City Municipalities Act 1933, Every municipal Councillor shall have the right to interpellate the President and to move resolutions on matters connected with the Municipal administration—vide also 15

Process to Sec 27 (3) of the Act

4) The present proposition does not in any way relate to the administration of the Mysore City Municipal Council

NOTE.—Contn Sheet

Serial No

Under Section 32 B of the Rules and Byelaws framed by the Mysore City Municipal Council, the President is competent to deal with such cases

1) No information is available before us regarding the passing of a similar proposition by the Mysore City Municipality

The 11/9

2) The subject proposed is one which is not in any way connected with the municipal administration of the Mysore City Municipality & should not be allowed to be moved at the Special meeting

[Why should not the resolution be circulated to a confidential board of Councillors for perusal? 11/9/46

The President's letter is for perusal

3) The proposition intended to be moved, does not relate directly or indirectly to matters connected with the administration of the Municipality.

It seems a healthy convention to Eschew politics from the purview of

local Self Governing institutions and in this view, it is always open to the President of the Municipality to refuse to allow discussion on such subjects under Sec 29 (2) of the City Municipalities Act & also proviso to Sec 27 (3) of the Act read with Sec 32 (B) of the Rules & bye laws framed by the Municipality (Flag R)

11) It is not clear why the President should seek orders of Govt in such matters He cannot obviously make use of any instructions that may be issued by Govt on this behalf to stop discussion of such Controversial subjects

It seems best to tell the President to dispose of the matter according to law. If discretion is used improperly, the subject has to be disallowed. There should

be. no doubt or difficulty-
about it.

Minister for Edn & D.H. Law
11/9/

Dewan

By
15/9/46

2131

15/9/46

Law
17/9

17/9 mt

17/9 mt

To The President-elect of the
Legislative Council

Sir, I have the honour to inform you that the question may be discussed by me according to Law.

Secy B
mt 78-46-5,6

R Ramachandra Rao Bhombore
PRESIDENT

Confidential

Ms P46/46-47 Cn (1)

Ml 78-46-5

Dated 9th September 1946

CITY MUNICIPAL COUNCIL
MYSORE.
REV BRANCH
11 SEP 1946
2026
L S G BRANCH

My dear Mr Mallaradhya,

In enclosing a copy of the proposition sent by 14 members of the Council to be considered at a Special Meeting of the Municipal Council to be convened for the purpose, I write to state that the proposition relates to the election of members to the Constituent Assembly from the State and does not in anyway pertain to the Municipal Administration As such, I do not think this is a subject which could be allowed to be moved in the Council

In this connection I may point out that a similar proposition under reference has been allowed by the Bangalore City Municipality and a resolution also has been passed by them

I request you kindly to intimate if the subject may be allowed to be moved at the Special Meeting which is fixed for the 18th instant

PTO

I request the favour of a very early reply

Yours sincerely,

J B Mallardahya, Esq , M A ,
Secretary to Government,
Revenue Department,
Bangalore

Copy of
~~Extract from~~ the proposition sent by 14 members of the Municipal Council

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Resolved that this Council urges the Government of His Highness the Maharaja of Mysore, to send only the elected representatives of the people of the State to the Constituent Assembly

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"EXTRACT"

PRESIDENT

L 4054 & 17-9 46

Immediate & Confidential at 2. P.M

Wl 78-46-6

To

The President City Hall
Mysore

Sir,

With reference to your D. no. M.S.P
46/46-47 dated 9-9-46, ~~stating that the~~
~~members of the City Municipal Council have~~
requesting instructions as to whether the
proposition tabled by the members of the Mun. Cl.
re the election of members to the Constituent
Assembly from the State, may be allowed
to moved at the Special meeting of the Council
to be held on 18-9-46, I am directed to
state that the question may be disposed of
by you according to the provisions of Law

Yours
for Secretary

TYPI[illegible] SECTION
17 1946
[illegible] SECT